

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1908 – HB 2384

March 8, 2016

SUMMARY OF BILL: Creates various causes of action that may be brought by members of a homeowners' association against the homeowners' association that include but are not limited to the following: for changes in the restrictive covenants that decrease the value of the property; if the membership of a homeowners' association is not given at least 72 hours prior notice of a homeowners' association meeting; if members are not afforded the right to appear at such meeting; or an adverse action taken by the homeowners' association against the member without the member being given notice of the violations, notice of the time and date of the hearing, reasonable time to resolve the problem, and a notice of the penalties that may result from non-compliance.

Authorizes prevailing party in any suit brought by any of the foregoing causes of actions to be entitled to reasonable attorney's fees and actual costs associated with maintaining the action.

Clarifies that any homeowners' association agreement in conflict with this legislation shall be deemed null and void.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- The provisions of the bill will create a cause of action for private parties.
- According to the Administrative Office of the Courts, any increase in caseloads for the private party cause of action will be not significant and can be absorbed within existing judicial resources.
- No significant impact to state or local government.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumption:

- The provisions of the bill will not impact jobs or commerce in Tennessee.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/amj